GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS - Commercial Tax Department - Disciplinary action initiated on the allegations levelled against Sri P.Ashok Babu, ACTO (Retd.), O/o.Dy.Commissioner (CT), Vijayawada-1 - Inquiry officer appointed - Report Submitted - Further action dropped - Orders - Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.Rt.No.283. Dated 01-04-2025.
Read the following: -

1. Orders dt.7-2-2020 & 27-4-2021 of Honourable Lokayukta of AP in Complaint No.68/2020/B1 filed by Sri B.Mehar Kumar, GSTO, Vijayawada-1 Division.
2. Govt. Memo No.CCSTOCCTV/2/2021-MLO-CCT, dt:06.08.2021.
3. From the CCST, letter No.V3/778/2013, dated18.08.2021.
4. G.O.Ms.No.170, Revenue (Vig.VI) Department, dt.01.04.2022
5. G.O.Rt.No.227, Revenue (Vig.VI) Department,dt.01.04.2022.
6. G.O.Rt.No.501, Revenue (Vig.VI) Department,dt.25.05.2023.
7. G.O.Rt.No.502, Revenue (Vig.VI) Department,dt.25.05.2023.
8. Inquiry report of Smt.G.Sumathi, JC (ST), Kakinada, Ref No. G4/73/2023, dt.30.11.2023.
9. Govt.Memo.No.CCSTOCCTV/2/2021-MLO-CCT, dt.21-12-2023.
10. Representation received from Sri P. Ashok Babu, Rtd.ACTO, Vijayawada, dt.5-3-2024 & 04-10-2024.

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ORDER:

In the reference 1st read above, the Honourable Lokayukta while forwarding the complaint petition filed by Sri B. Mehar Kumar, GSTO, Vijayawada Divisin-1 against Sri P. Ashok Babu, ACTO (Retd), O/o. the Deputy Commissioner (CT) Vijayawada-1 for the irregularities committed by him viz., canvassing for a political party in Karnataka elections, 2018, submitting false representation regarding possession of B.Com Degree and tampering the entries in the Service Register and requested to submit a report in the matter. Based on the orders of Honourable Institution of Lokayukta, A.P., after examining the matter, in the reference 2nd read above the CCST was directed to initiate disciplinary action against Sri P. Ashok Babu, ACTO (retd.), of Andhra Pradesh reviewing all enquires conducted earlier in the matter.

2. In the reference 3rd read above, the CCST, has informed that Sri P. Ashok Babu, ACTO (Retd.), had voluntarily retired from service on 10.01.2019. Hence, the Government retains the competency to take further action in the matter.

3. Whereas, after detailed examination, the Government decided to order a fresh inquiry into the allegations and initiate departmental proceedings under Rule (20) of the APCS (CC&A) Rules, 1991 read with Rule (9) of the Revised Pension Rules, 1980, against Sri P. Ashok Babu, formerly ACTO (Retd).

Accordingly, in the reference 4thread above sanction was accorded and the Articles of Charges were framed against him in the reference 5thread above as follows:

> **Article-I**: Sri P. Ashok Babu, while functioning as Senior Assistant in the office of the CTO, Krishnalanka Circle, from 3.9.1993 to 13.7.1999, submitted a representation dated 25.1.1996 with false information about possessing a B.Com Degree to seek transfer to the office of the Commissioner of Commercial Taxes, Andhra Pradesh, under Rule 3(2)/3(8) of APMS Rules, 1996.
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> **Article-II**: Sri P. Ashok Babu canvassed for a political party during the Karnataka Assembly elections scheduled for 12.5.2018, criticizing Central Government policies and dignitaries while in Government service, thus violating Rules 17 and 19 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.
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> **Article-III**: During the period from 3.9.1993 to 13.7.1999, Sri P. Ashok Babu allegedly persuaded the authorities to tamper with the entries related to his educational qualifications in his Service Register.

4. Whereas, in the reference 6thread above, the Government appointed Smt. G. Sumathi, JC (ST) as the Inquiry Officer and in the reference 7thread above Sri D.P.Anjaneyulu, Asst. Commissioner (ST) O/o. CCST appointed as the Presenting Officer to present the case on behalf of disciplinary authority against the charges framed against Sri P. Ashok Babu, formerly ACTO (Retd.) of the Office of the Deputy Commissioner (CT), Vijayawada-1 Division.

5. Whereas, in the reference 8th read above, the Inquiry Officer, Smt. G. Sumathi, JC (ST), submitted the inquiry report and held that the Charges I &II are proved and Charge-III is held not proved. And whereas, after following due procedure, the Government have communicated the Inquiry Officer's report to Sri P. Ashok Babu with a direction to submit his written representation on the findings of Inquiry Officer.

6. Whereas, in the reference 10thread above,Sri P. Ashok Babu, ACTO (Retd.) submitted his representation stating that opinion of the report of the Inquiry Officer, totally deny the findings of the Inquiry Officer and there are no gravity in the charges framed against him in respect of the Charges-I, the I.O. did not make specific remarks on the validity of qualification when no benefit is derived out of the application for transfer to O/o. CCST. In respect of Charge-II he has submitted that the meeting conducted in Bangalore is a professional meeting which was attended in the capacity of the President of the APNGOs Association. The statements made during the meeting are unofficial and no minutes were recorded. Taking such statements intocognizance and framing charges is totally undemocratic and beyond justification. He has requested the Government to drop the charges are as not proved and remaining Charge-III are not proved beyond reasonable doubt and has requested to drop further action against him keeping in view the length of time elapsed.

7. After detailed examination of the Inquiry report and the representation submitted by Sri P. Ashok Babu, ACTO (Retd.), O/o. the Deputy Commissioner (CT), Vijayawada-1 Division and presently, the Government have observed as follows:-

Charge-I: Although the Inquiry Officer concluded that the charge was proved, the Government noted that Sri P. Ashok Babu, ACTO (Retd.) had voluntarily withdrawn his application for transfer and did not gain any undue advantage. Since no benefit was derived, the Government decided to drop this charge.

Charge-II: The Inquiry Officer held this charge as proved based on evidence, including video clips, showing his participation in an event that criticized Central Government policies. However, considering his explanation and the nature of the remarks made in his capacity as an Employees union leader, the Government decided that a minor penalty of 'censure' would have sufficed if he were in service. Given his retirement, further action on this charge was dropped.

Charge-III: The Inquiry Officer found this charge not proved, and no further action was warranted.

8. Government, after careful examination of the matter hereby drop further action against Sri P. Ashok Babu, ACTO (Retd.), O/o. the Deputy Commissioner (CT), Vijayawada-1 Division.

9. The Chief Commissioner State Tax, A.P., Kunchanapalli, Guntur shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner State Tax, A.P., Kunchanapalli, Guntur
Sri P. Ashok Babu, ACTO (Retd.),through CCST, A.P.
SF/SCs

// FORWARDED :: BY ORDER //

SECTION OFFICER